IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS DALLAS DIVISION

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§	3:13-cv-2634-O-BK
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ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE

The United States Magistrate Judge made Findings, Conclusions, and a Recommendation in this case. To the extent Plaintiff objected, Plaintiff's objections were untimely (ECF Nos. 12 & 13). *See* Fed. R. Civ. P. 72(b)(2). Accordingly, the District Court reviewed the proposed Findings, Conclusions, and Recommendation for plain error. Finding none, the Court **ACCEPTS** the Findings, Conclusions, and Recommendation of the United States Magistrate Judge.

IT IS THEREFORE ORDERED that this action is **DISMISSED** with prejudice as frivolous. *See* 28 U.S.C. § 1915A(b). In addition, Plaintiff is **WARNED** that sanctions may be imposed if he persists in filing frivolous lawsuits.

The Court **CERTIFIES** that, in the event Plaintiff seeks leave to proceed *in forma pauperis*, any appeal of this action would not be taken in good faith. *See* 28 U.S.C. § 1915(a)(3). In support of this finding, the Court adopts and incorporates by reference the Magistrate Judge's Findings, Conclusions, and Recommendation. *See Baugh v. Taylor*, 117 F.3d 197, 202 n.21 (5th Cir. 1997).

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Based on the Findings and Recommendation, the Court finds that any appeal of this action would present no legal point of arguable merit and would, therefore, be frivolous. *Howard v. King*, 707 F.2d 215, 220 (5th Cir. 1983).

SO ORDERED on this 4th day of September, 2013.

Reed O'Connor

UNITED STATES DISTRICT JUDGE